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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,557	04/19/2001	Woon Suk Chang	K-257	7535

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EXAMINER

HASHEM, LISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/837,557

Applicant(s)

CHANG, WOON SUK

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-31 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-5, 6-13, 14-24, 32-37, and 38-44 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTQ-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## FINAL DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-5, 6-13, 14-24, 35-37, 38-40, and 44, drawn to a system for identifying information elements to identify service(s) provided on a call, classified in **class 455, subclass 560**.
  - II. Claims 25-31 drawn to a system for identifying an additional concurrent service while a first service is established, classified in **class 455, subclass 414.1**.
  - III. Claims 32-34 drawn to a system for a releasing concurrent service among a plurality of services, **class 455, subclass 414.3**.
  - IV. Claims 41-43, drawn to a system for providing concurrent service, wherein one service is a dormant packet data service and reactivating said dormant packet data service, classified in **class 455, subclass 450**.
2. Inventions I-IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.
  - In the instant case, invention I has separate utility than inventions II, III, and IV such as the invention associated with a method of uniquely identifying services provided on a call using information elements. The information elements include: an element identifier field and service identifier field.
  - Invention II has separate utility than inventions I, III, and IV such as the invention associated with a system for providing concurrent services wherein an additional

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concurrent service is uniquely identified while a first service is established.

Additional request messages, e.g. Assignment Request message and Service Connect message or Handoff message, are sent between the BSC and MSC to establish said additional service.

- Invention III has separate utility than inventions I, II, and IV such as the invention associated with a releasing a concurrent service among a plurality of services provided on a single logical connection. A Service Release Request message is sent from the BSC to MSC to release said service.
- Invention IV has separate utility than inventions I, II, and III such as the invention associated with providing a dormant packet data service as a concurrent service. Wherein said dormant packet data service is re-activated.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and have acquired a separate status in the art because of their recognized divergent subject matter, and the search required for each invention is not required for the other, restriction for examination purposes as indicated is proper. See MPEP § 806.05(d).

4. Applicant's election with traverse of claims 25-31 in Paper No. 8, filed on May 10, 2004, is acknowledged.

5. This application contains claims: a) 1-5, 6-13, 14-24, 35-37, 38-40, and 44, b) 32-34, and c) 41-43, drawn to an invention nonelected with traverse in Paper No. 8. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Allowable Subject Matter***

6. The following is an examiner's statement of reasons for allowance: upon close review of the claims, the prior art, and applicant's remarks it appears that the allowance of claims 25-31 is appropriate.

Referring to the claimed invention, U.S. Patent No. 6,178,337 by Spartz et al disclose a method and apparatus for operating a wireless telecommunication system utilizing code division multiple access (CDMA) over-the-air interface with a Global System for Mobile communications (GSM). The configuration and control of signal processing resources include the allocation of vocoding and devocoding resources in accordance with the requested type of service. Other actions include: the allocation of CDMA traffic channel processing resources and selection resources at the start of signaling exchange between the subscriber unit and the base station system (BSS) or mobile switching center (MSC). These resources process both voice and data calls, and signaling messages, such as registrations, from the subscriber unit.

U.S. Patent Application Publication No. 2001/0001089 by Krishnamurthi et al disclose a system and method for providing mobile switching center (MSC) initiated service negotiation in a wireless communication system; wherein improved messaging is provided on the A interface between a MSC and a base station.

U.S. Patent No. 6,731,621 by Mizutani et al disclose a mobile station core network that provides various kinds of services including: end-to-end call control, additional services, management of movement, and connection with a fixed network, e.g. a public switched telephone network (PSTN).

None of the prior art disclose a method for providing concurrent service in a mobile communication system comprising: allocating a service identifier to uniquely identify an additional concurrent service and sending an Additional Service Request using information about the additional service and the service identifier for the additional service in response to a request for additional service, as claimed in Claim 25.

***Response to Restriction Requirement***

7. In Paper No. 8, the Applicant requested (page 1, lines 8-9), ‘...it is respectfully submitted that the search and examination of the entire application could be made without serious burden...’.

Because the inventions stated above are distinct for the reasons given and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper. Therefore, the Examiner suggests filing a Continuation of the instant application for those inventions.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

**Or call:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh

May 20, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

